

July 16, 2012

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, July 16, 2012 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were:	Hugh Caffery, Chairman	Dr. Darby Chiasson
	Gene Harrell, Vice-Chairman	Larry Dugas
	Robert Thibodaux, Secretary/Treasurer	Jake Giardina
	Ron Animashaun	Greg Nolan

Absent: None

Also present: Barry Marionneaux, Attorney; Arthur DeFraités, Jr., Consulting Engineer
Henry Templet; Donald Arceneaux; Bruno Deleo; Jerry Waguespack
Nick Porto; Robert Mire; Matt Ledet; T. Baker Smith; Alma Robichaux, BTNEP
Stevie Smith, All South Engineers; Archie Chaisson, Jr., Director
Jana Langley, Administrative Coordinator

Moved by Commissioner Robert Thibodaux, seconded by Commissioner Jake Giardina and unanimously approved to amend the agenda by two-thirds vote to move Arthur DeFraités, Jr. reports up first on the agenda.

Mr. Arthur DeFraités advised that he was asked by the Board to review the Operations & Maintenance manual prepared by CH2MHill regarding the future maintenance of Bayou Lafourche. The manual addresses the first five miles of the project that was completed.

Mr. DeFraités stated that the District will be required to monitor the flow conditions of the bayou, monitor the sediment build up, develop a dredge plan for the sediment trap, inspect banks for bank stability and provide maintenance as required, provide maintenance dredging, and permit new construction for the entire Bayou Lafourche from Donaldsonville to the Intracoastal Waterway.

Mr. DeFraités advised that it is all very good engineering and very specific of what the requirements are. It is very involved and will take pretty good people to handle this. He stated that the District does not have the staff right now to do what is required in this manual.

Mr. DeFraités informed the Board that the situation he sees we are in here is that it will cost about \$300,000 per year after the first five mile project. It is important to the Board in Chapter 8 of the manual that it states the cost will be paid solely by the District. Mr. DeFraités advised that the Board needs to ask them to modify that particular section to at least open the door and say down the line as these costs increase the District will have some help with paying these costs.

Chairman Hugh Caffery advised that we have a Cooperative Endeavor Agreement with the State from December 2008 where this manual was anticipated, and in that agreement the District had certain expectations that were written into that agreement, and one was that the District would handle those costs.

Chairman Caffery stated that in discussions that he has had is for the District to send a written request to the State, and let them consider how they could find sources of funding. The original agreement we had with them was that we would bear those operations and maintenance.

Mr. Barry Marionneaux, attorney, advised that the document came out in January 2012 as to what the operations and maintenance shall be according to this field report. He highly recommended that a letter be written, and that there be some investigation into Davis Pond to see how it is funded, and what types of funds might be available. Chairman Caffery asked Mr. Marionneaux if he could write the letter, and he agreed to.

Vice-Chairman Gene Harrell asked Mr. DeFraités if he could broach how much from a standpoint of increased personnel we are going to need. Mr. DeFraités stated that they don't give a detailed breakdown of how they arise at the cost. Mr. DeFraités advised that the District will probably need at least three or four more personnel, and a whole lot more equipment.

Mr. Marionneaux stated that the door is still open relative to Phase II and now is the time to include that also in the letter to see if we could get Operations & Maintenance for Phase I and Phase II, which we have not signed any documents yet relative to Phase II.

Commissioner Jake Giardina advised that this is a yearly ongoing expense and wherever the money would come from is a one-time shop. It will be burned up and you still have the bill to pay every year.

Vice-Chairman Harrell stated that when we were working with Mr. Scott Angelle we broached those questions to him about increased pump station cost from a standpoint of electricity and additional maintenance that would be needed on the bayou, and he was very open at that time to working with us with the money coming from the Dept. of Natural Resources to help with that. Now, obviously we are in a much different setup right now.

Chairman Caffery advised that Mr. DeFraités and Mr. Marionneaux have both worked on the Executive Director job description, and he would like to have some discussion about that. Chairman Caffery stated that he has talked to Mr. Marionneaux about him and Mr. DeFraités working together to finalize any fine points, and going out and procuring for us candidates, screening them, and coming back to the Board with three to five that we can interview.

Chairman Caffery stated that we have a Director Archie who is a very good candidate for this position but there are other candidates to, and this is a formal process of our master plan. Mr. Marionneaux stated that he has been hiring experts all his life as an attorney and experts in court. He stated we could get some advertisements out on the internet, in newspapers in New Orleans, Lafayette, Baton Rouge, etc. and see if we could get some candidates for the job. Mr. DeFraités stated that he has participated in preparing the qualifications for the selection process but is staying away from the selection process.

Moved by Commissioner Jake Giardina, seconded by Commissioner Ron Animashaun to hire Mr. Barry Marionneaux and Mr. DeFraités to finalize any fine points of the job description, going out and advertise and procuring candidates, screening them, and coming back to the

Board with their recommendations of candidates to interview. Chairman Caffery opened the motion for discussion.

Vice-Chairman Harrell advised that on the second page of the job description it talks about preparation of a District newsletter, and that is something that we don't currently do. Chairman Caffery stated that it will be a way to continue our communication plan as part of the master plan.

Vice-Chairman Harrell stated that the job description did not talk about any supervision of the pump station crew or the bayou crew. He advised that Robert Thibodaux had made some thoughts on that, and wanted to know if that will be included in the job description.

Chairman Caffery advised that yes it needs to be included. The supervision of the bayou crew, the pump station crew, and any contract work should be included. Chairman Caffery stated that this will be added to the list of job descriptions.

Commissioner Jake Giardina advised that a simple way of doing that is make an organizational diagram of the District. Chairman Caffery stated that we need to add the organizational chart to the job description.

Chairman Caffery asked for any further discussion on the motion. Vice-Chairman Harrell asked if they will come up with a refined document before we actually go out and start looking for somebody. Mr. Marionneaux advised that they heard additional suggestions which they could easily incorporate into that document.

Chairman Caffery stated that Mr. Marionneaux could send the Board the complete job description back to them with the additional suggestions discussed, and if the Board agrees with the additions then Mr. Marionneaux and Mr. DeFraitres can proceed with the advertisements, procuring, screening, and selection of candidates to interview.

Chairman Caffery asked for a vote on the motion to include in the job description the additional suggestions discussed, and for the Board to review the revised job description before proceeding further with the advertisement, procuring, etc. The motion passed unanimously.

Moved by Commissioner Larry Dugas, seconded by Commissioner Ron Animashaun and unanimously approved to return to the regular agenda.

Moved by Commissioner Larry Dugas, seconded by Commissioner Ron Animashaun and unanimously approved to go into Executive Session at 5:40 p.m.

Moved by Commissioner Larry Dugas, seconded by Commissioner Jake Giardina and unanimously approved to return to Regular Session at 6:20 p.m.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Dr. Darby Chiasson and unanimously approved to adopt the Common Interest and Confidentiality Agreement Between Bayou Lafourche Fresh Water District and Coastal Protection and Restoration Authority of Louisiana presented by Mr. Marionneaux, and authorize Chairman Hugh Caffery to sign to confidentiality agreement.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Larry Dugas to dispense with the reading of the minutes, and approve the minutes of June 18, 2012. Motion carried unanimously.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas to approve the accounts payable for June. Motion carried unanimously.

Chairman Caffery reported that last Monday they had their Bayou Industrial Group meeting, and Senator Mary Landrieu was there. They talked about the Restore Act which was part of the transportation bill that was signed by the President. In that Act it says that there will be a sharing of the BP fines. Those fines have not been allotted nor paid yet by BP but those could amount to a preliminary calculation of \$700 million to the State of Louisiana which would be used or coastal restoration. She was one of the authors of the bill. Chairman Caffery stated that at the end of the meeting she came up to him and said how are we doing with Bayou Lafourche, and he said after the summit we have come up with a \$95 million five-year master plan. She told Hugh to make sure we get it funded by this BP money because it is going to be \$700 million.

BAYOU OPERATIONS

CREWS: The harvesters were pulled and spent one day undergoing routine maintenance. They are now back in the water where they started cutting at the weir. As of today, they are at the 3185 Bridge just north of Thibodaux.

The tug has been working the area between Thibodaux and N Raceland cutting hydrilla and busting lily jams at the bridges and in the bayou. Today the tug will make a single pass to Lockport to break up hyacinth jams and cut the hydrilla south of Raceland. It will be working its way back north from Lockport during the week.

When the weather permitted, one crew has been spraying herbicides on the lilies and paspalum from Thibodaux to the St Thomas area in Assumption parish. We will have to make several passes to get the majority of the hydrilla under control.

EQUIPMENT STATUS: Trucks: all operational; Boats: all operational; Harvesters: both operational; Misc equip.: operational

PUMP STATION REPORT

RIVER STAGE: Beginning June month: 6.41; Ending Month: 3.43; Current Stage: 2.9

PUMP OPERATION: No. Days Siphon: 0; No. Days Pumping: 30

STATION MAINTENANCE: USGS installed Bayou Gauge on Marchand Bridge in Donaldsonville. General maintenance and yard work.

DIRECTOR'S REPORT

Dirk Barrios and I have been monitoring the salinity levels in the Company Canal. They peaked last week around 3.7 ppt salinity, and Dirk was considering closing the structure as a precautionary measure. I think the recent rains have helped lower the salinity levels to a normal level.

Moved by Commissioner Larry Dugas, seconded by Commissioner Jake Giardina to approve the finance report. Motion carried unanimously.

Mr. Chaisson reported that the bid opening was on July 9th on the Thruster Power Unit/Barge, and one bid was received from Poseidon Barge in the amount of \$135,350.00. Mr. Chaisson stated that it is his recommendation that we give notice to Poseidon Barge to award the contract. Mr. Chaisson advised that he spoke to B & G Crane and he plans to put it in the bayou at the St. Thomas Bridge.

Moved by Commissioner Dr. Darby Chiasson, seconded by Commissioner Jake Giardina and unanimously approved to accept the bid from Poseidon Barge for the Thruster Power Unit/Barge in the amount of \$135,350.00.

Chairman Caffery stated the hydrilla flies seem to be working. Mr. Chaisson advised that in the areas that the flies were placed the hydrilla has decreased in growth. We should have some more flies shipped by August 1st.

Mr. Nick Porto asked if in the foreseeable future if the Fresh Water District will have someone monitor speed boats in Bayou Lafourche. Mr. Chaisson asked if he is talking about No Wake Zone signs, and Mr. Porto answered yes. Mr. Chaisson stated that we could put signs up but as far as having somebody out there with policing power that would have to come from the sheriff's department.

Mr. Templet advised that they have two No Wake Zones at the rowing club. Commissioner Dr. Darby Chiasson stated that South Lafourche has an ordinance but that is through the Port Commission. Mr. Chaisson stated that some of the parishes have an ordinance for No Wake Zones.

Mr. DeLeo stated that he will check with Ascension Parish, and Chairman Caffery asked Mr. Chaisson to check with Assumption and Lafourche to see if there are ordinances in those parishes. If there are no ordinances then we will get Mr. Marionneaux to check into our law to see if we have the authority to install a certain speed limit for boaters or No Wake Zone signs to protect the urban areas, and keep the stability to the banks.

Mr. Templet thanked the Fresh Water District for what they have been doing for the rowing club. Charles Mosely called Mr. Chaisson to couple of weeks ago to clean the rowing club area. They had a magazine that wanted to do an article on the rowing club.

Chairman Caffery welcomed our former commissioner Donald Arceneaux for being at the meeting.

Moved by Commissioner Jake Giardina, seconded by Commissioner Robert Thibodaux and unanimously approved the meeting adjourned at 6:35 p.m.

Hugh Caffery, Chairman

Robert Thibodaux, Secretary/Treasurer

